

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEFF POKORNY, LARRY BLENN, and ) Case No. 07-0201 SC  
KENNETH BUSIERE, on behalf of )  
themselves and those similarly ) ORDER REGARDING  
situated, ) SUPPLEMENTAL BRIEFING

Plaintiffs,

v.

QUIXTAR INC., et al.,

## Defendants.

On April 29, 2011, Plaintiffs Jeff Pokorny, Larry Blenn, Kenneth Busiere ("Plaintiffs") and Defendants Quixtar Inc., et al. ("Defendants") filed a second Joint Motion for Settlement. ECF No. 162. On July 20, 2011, the Court issued an order requiring supplemental briefing to address a number of the Plaintiff's concerns about the fairness of the proposed settlement. On September 21, 2011, the Court denied Plaintiff's motion for an extension of time to file their supplemental briefing. ECF No. 196. On October 5, 2011, the Court granted Plaintiffs' proposed motion for an extension of time to respond to the Plaintiff's supplemental briefing request. ECF No. 200.

The Court hereby ORDERS Plaintiffs to provide one additional item of information in their supplemental briefing. Specifically, Plaintiffs shall inform the Court whether the Honorable David Weinstein ("Judge Weinstein"), a retired judge

1 who has served as the parties' mediator during settlement  
2 negotiations, will be compensated from the settlement fund. If  
3 so, Plaintiffs shall provide the Court with appropriate  
4 documentation setting forth the compensation Judge Weinstein  
5 will receive and a detailed accounting of his services rendered.  
6 It is the Court's view that complete transparency as to the  
7 distribution of settlement funds is essential to evaluating the  
8 fairness of the proposed settlement.

9  
10 IT IS SO ORDERED.

11  
12 Dated: October 13, 2011

  
13 UNITED STATES DISTRICT JUDGE